

**THIRTY-THIRD DAY**  
(Tuesday, March 11, 1975)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

A quorum was announced present.

The Reverend Dr. Frank D. Charlton, Retired, St. Paul's United Methodist Church, Abilene, Texas, offered the invocation as follows:

We pause, in awe and reverence, Our Father, at the beginning of this session, realizing that we do not need to be known for our much speaking, but simply to remember Thy mercy and goodness to us all.

May we hear Thy voice more than our own, for often our words and moods displease Thee, and others.

In this place and time, let us not forget that we are representatives responsible for the enlightenment and guidance and welfare of the people, without which there can be no satisfaction or prosperity or peace.

Temper our knowledge of the law with wisdom and mercy, to the end that those everywhere will be well served. Remove far from us any selfish concerns which override or bend our good judgement, and keep these, Thy servants from being pressured by any who seek to further their own interests. Free each to make his or her own decision. So shall this legislative body accomplish its appointed tasks, and this great state, which we love, maintain its high standards of integrity and justice and goodwill.

This day we remember in our prayer the presiding officer of the Senate and all who work with him, as we pray in the Master's name, Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Lombardino was granted leave of absence for today on account of illness on motion of Senator Williams.

**REPORTS OF STANDING COMMITTEES**

Senator Brooks submitted the following reports for the Committee on Human Resources:

**H.B. 53** (Amended)  
**S.B. 93**  
**S.B. 212**  
**S.B. 405** (Amended)

Senator Moore submitted the following reports for the Committee on State Affairs:

**S.B. 456**  
**S.B. 455**  
**S.B. 402**

#### SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Traeger:

**S.B. 612**, A bill to be entitled An Act relating to activities which are permitted without a plumbing license; amending Section 2 by adding Subsection (g), and amending Section 3, Plumbing License Law of 1947 (Article 6243-101, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Brooks:

**S.B. 613**, A bill to be entitled An Act relating to allowing certain vocational teachers credit for prior experience in a trade or industry for the purpose of determining minimum salary increments and retirement service credits; amending the Texas Education Code by adding Sections 16.317 and 3.27; and declaring an emergency.

To Committee on Education.

By Senator Clower:

**S.B. 614**, A bill to be entitled An Act relating to benefits paid for death or disability of a fireman from heart or lung disease; repealing Chapter 747, Acts of the 62nd Legislature, Regular Session, 1971 (Article 6243e-3, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Harrington:

**S.B. 615**, A bill to be entitled An Act relating to notification of purchasers of real property located downstream from a dam or proposed site for a dam; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Jones:

**S.B. 616**, A bill to be entitled An Act relating to regulation of the labeling, distribution, storage, use, and disposal of pesticides; requiring registration of pesticides; providing for licensing of pesticide dealers; providing for licensing and certification of persons who apply pesticides; providing a penalty; repealing Chapter 349, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 135b-4, Vernon's Texas

Civil Statutes), and the Insecticide, Fungicide, and Rodenticide Act of Texas, as amended (Article 135b-5, Vernon's Texas Civil Statutes); and declaring an emergency.  
To Committee on Natural Resources.

By Senator Gammage:

**S.B. 617**, A bill to be entitled An Act relating to the establishment in the state treasury of an uninsured motorist fund to be composed of fees required of uninsured motorists upon vehicle registration; relating to the allocation of the fund for administrative expenses and to private insurers for reduction in the cost of uninsured motorist insurance coverage; prescribing certain offenses and setting penalties; relating to uninsured motorist insurance coverage; amending the Texas Insurance Code by adding Article 5.06-5 and amending Article 5.06-1; amending Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Articles 6675a-1 et seq., Vernon's Texas Civil Statutes), by adding Section 11a; and declaring emergency.

To Committee on Economic Development.

By Senator Gammage:

**S.B. 618**, A bill to be entitled An Act relating to rejection of and claims and suits under uninsured motorist coverage; amending Subdivision (1) of and adding Subdivision (4) to Article 5.06-1, Texas Insurance Code; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

**S.B. 619**, A bill to be entitled An Act relating to the possession of any intoxicating beverage at certain athletic events; amending Subsection (a) of Section 4.22, Texas Education Code; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 620**, A bill to be entitled An Act declaring a purpose and policy to abolish the Parks and Wildlife Commission and the Parks and Wildlife Department; to establish a Wildlife and Fisheries Commission, a Department of Wildlife and Fisheries, a State Parks Commission and a State Parks Department; to provide for separation of responsibilities; to establish a transition Council to advise the newly created commissions; providing for anticipatory appointments and actions; providing for continuance of laws; repealing conflicting laws and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 621**, A bill to be entitled An Act amending Chapter 58, Acts of the 58th Legislature, 1963, as amended (Article 978f-3a, Vernon's Texas Penal Auxiliary Laws), by adding a new section directing the Parks and Wildlife Commission and the Parks and Wildlife Department to carry out a program of artificial reef building and use of existing reefs and buoys; and declaring an emergency.

To Committee on Natural Resources.

By Senator Schwartz:

**S.B. 622**, A bill to be entitled An Act amending Section 1, Chapter 58, Acts of the 58th Legislature, 1963, as amended (Article 978f-3a, Vernon's Texas Penal Auxiliary Laws), by adding a new Subsection (g) to provide guidelines to be followed by the governor in selecting members of the Parks and Wildlife Commission; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 623**, A bill to be entitled An Act amending Sections 1, 2, 3, 4, and 10 and repealing Section 10a, Chapter 246, Acts of the 53rd Legislature, Regular Session, 1953 (Article 23721, Vernon's Texas Civil Statutes); enlarging and defining the area subject to zoning regulations and extending authority to the coastal counties of Jefferson, Chambers, Galveston, Brazoria, Matagorda, Calhoun, Aransas, Nueces, Kleberg, Kenedy, Willacy, and Cameron to regulate uses of land within two miles of the shorelands and public beaches of the state; repealing an exemption for buildings and equipment used in furnishing telephone service to the public; stating relationship of rules and regulations under this Act to laws or regulations to protect dunes and vegetation or to regulate removal of sand, marl, gravel, and shell from certain areas; and declaring an emergency.

To Committee on Natural Resources.

By Senator Schwartz:

**S.B. 624**, A bill to be entitled An Act amending Section 4; Subsection a, Section 6; and Subsection c, Section 12; Coastal Public Lands Management Act of 1973 (Article 5415e-1, Vernon's Texas Civil Statutes); and adding a new Section 6A to define coastal wetland and provide for its inclusion in the coastal public lands management program; providing for permits and penalties; and declaring an emergency.

To Committee on Natural Resources.

By Senator Schwartz:

**S.B. 625**, A bill to be entitled An Act relating to the coverage of and the management and control of certain public land under the Coastal Public Lands Management Act of 1973; amending Section 4, Subsection (b) of Section 7, Subsection (a) of Section 8, Subsection (a) of Section 9, and Subsection (b) of Section 10, Coastal Public Lands Management Act of 1973 (Article 5415e-1, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Longoria:

**S.B. 626**, A bill to be entitled An Act relating to the establishment of a medical branch of The University of Texas System to be known as The University of Texas Medical School of the Rio Grande Valley; amending Chapter 74, Texas Education Code, by adding Subchapter K; and declaring an emergency.

To Committee on State Affairs.

By Senator Clower:

**S.B. 627**, A bill to be entitled An Act relating to reinstatement of service credit in the Texas County and District Retirement System and the Texas Municipal Retirement System; amending Section 6, Chapter 127, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6228g, Vernon's Texas Civil Statutes), by amending Subsections 4 and 5; amending Chapter 75, Acts of the 50th Legislature, 1947, as amended (Article 6243h, Vernon's Texas Civil Statutes), by amending Subdivision (d), Subsection 2, Section III, and Subsections 4 and 5, Section VI; and declaring an emergency.

To Committee on State Affairs.

By Senator Clower:

**S.B. 628**, A bill to be entitled An Act relating to the percentages of crude protein and equivalent protein from nitrogen in commercial feeds; amending Subsection (a), Section 5, Texas Commercial Feed Control Act of 1957 (Article 3881e, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Natural Resources.

By Senator Clower:

**S.B. 629**, A bill to be entitled An Act relating to dedicating certain taxes now dedicated to the Available School Fund to the General Revenue Fund; amending Article 24.01, Title 122A, Taxation--General, Revised Civil Statutes of Texas, 1925, as amended; amending Section 46 of Article 1 and Section 23 1/2 of Article 2, Texas Liquor Control Act, as amended (Articles 666-46 and 667-23 1/2, Vernon's Texas Penal Code); amending the Revised Civil Statutes of Texas, 1925, by adding Article 7064b; and declaring an emergency.

To Committee on Finance.

By Senator Tracger:

**S.B. 630**, A bill to be entitled An Act relating to the addition of certain areas to the Cibolo Creek Municipal Authority; amending Sections 4 and 5, Chapter 347, Acts of the 62nd Legislature, Regular Session, 1971 (Article 8280-487, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Harris:

**S.B. 631**, A bill to be entitled An Act relating to the requirement that secondhand metal dealers keep records of certain purchases of bronze; amending Section 2, Chapter 460, Acts of the 60th Legislature Regular Session, 1967 (Article 9009, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Sherman:

**S.B. 632**, A bill to be entitled An Act relating to the expenses of the shorthand reporter for the 31st Judicial District; amending Section 3, Chapter 190, Acts of the 61st Legislature, Regular Session, 1969 (Article 2326j-29, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Sherman:

**S.B. 633**, A bill to be entitled An Act relating to energy efficiency labeling of certain gas and electric appliances; providing a civil penalty; and declaring an emergency.

To Committee on Natural Resources.

By Senator Sherman:

**S.B. 634**, A bill to be entitled An Act relating to the licensing of physical therapists; amending the physical therapy licensing act (Article 4512e, Vernon's Texas Civil Statutes), by amending Sections 8, 9, 16, and by adding Section 18; and declaring an emergency.

To Committee on Human Resources.

By Senator Sherman:

**S.B. 636**, A bill to be entitled An Act relating to the issuance of additional amounts of Texas Water Development Bonds; amending Section 11.141, Water Code, as amended; and declaring an emergency.

To Committee on Economic Development.

By Senators Gammage and Moore:

**S.B. 637**, A bill to be entitled An Act relating to the inclusion of certain coverages in an insurance contract; and providing for endorsement; and declaring an

emergency.

To Committee on Economic Development.

By Senators Brooks, Gammage and Williams:

**S.B. 638**, A bill to be entitled An Act relating to treatment and rehabilitation of drug-dependent persons; providing penalties and declaring an emergency.

To Committee on Human Resources.

By Senator Brooks:

**S.B. 639**, A bill to be entitled An Act relating to requiring a license of certain persons who engage in the practice of marriage and family counseling and therapy, and creating and establishing the powers and duties of the Board of Marriage and Family Counselor Examiners; providing penalties; and declaring an emergency.

To Committee on State Affairs.

By Senators McKnight and Adams:

**S.B. 640**, A bill to be entitled An Act relating to the acquisition, ownership, operation, and financing of certain facilities of, and the performance of certain services and functions by, the North Texas Municipal Water District and providing for certain powers and duties of the district and political subdivisions with relation to these facilities, services, and functions; amending Chapter 62, Acts of the 52nd Legislature, 1951, as amended (Article 8280-141, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senators McKnight, Adams, Mauzy, Clower, Braecklein and Gammage:

**S.B. 641**, A bill to be entitled An Act relating to a person making application for a place on the ballot at a special election held for the purpose of filling a vacancy; relating to the time by which such an application must be filed and the fee to accompany the application; relating to the proper place to file such an application and providing that the Secretary of State shall direct that the name and party affiliation of the applicant shall be printed on the official ballot; providing that the ballot shall be printed on the official ballot; providing that the ballot shall be printed as indicated in Section 61 and marked as indicated in Section 62; amending Section 32a, Texas Election Code (Article 4.10, Vernon's Texas Election Code); and declaring an emergency.

To Committee on State Affairs.

By Senator McKnight:

**S.B. 642**, A bill to be entitled An Act amending Article 3, Subchapter IX, of the Texas Banking Code of 1943, as heretofore amended (Article 342-903, Vernon's Texas Civil Statutes), concerning the prohibition against branch banking but authorizing connecting facilities; specifying the requisites for drive-in facilities; and declaring an emergency.

To Committee on Economic Development.

By Senator Schwartz:

**S.B. 644**, A bill to be entitled An Act relating to direct payment permits issued to consumers to pay sales and use taxes directly to the State of Texas; repealing Article 20.05(K), Chapter 20, Title 122A, Revised Civil Statutes of Texas, 1925, as amended; repealing Subsection (3) of subsection (B) of Section 6, Chapter 36, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1066c, Vernon's Texas Civil Statutes); providing for the reporting of taxes on taxable items purchased pursuant to direct payment permits prior to the repeal of Article 20.05(K), Chapter 20, Title 122A, Revised Civil Statutes of Texas, 1925, as amended; providing an effective date; and

declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 645**, A bill to be entitled An Act relating to the Special Use Tax Exemptions for taxable personal property acquired outside the State of Texas and brought into Texas for use by licensed and certified carriers; repealing Subsections (a) and (d) of Subsection (3) of Section (G) of Article 20.04, Chapter 20, Title 122A, Revised Civil Statutes of Texas, 1925, as amended; providing an effective date; and declaring an emergency.

To Committee on Finance.

By Senators Schwartz and Doggett:

**S.B. 646**, A bill to be entitled An Act relating to the method of payment of salaries of state employees; amending Article 6826, Revised Civil Statutes of Texas, 1925; amending Section 2(a), Article V, Chapter 659, Acts of the 63rd Legislature, Regular Session, 1973; providing an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 647**, A bill to be entitled An Act relating to claiming tax exemptions under Article VIII, Section 1-b(b), of the Texas Constitution; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Schwartz:

**S.B. 648**, A bill to be entitled An Act relating to the inclusion of coverage for indirect loss resulting from windstorm or hail in certain policies of insurance written under the Texas Catastrophe Property Insurance Pool Act; amending Subsection (d), Section 3, Article 21.49, Insurance Code; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

**S.B. 649**, A bill to be entitled An Act relating to hotel occupancy tax; amending Sections 3a, 3b and 3c(b) of Chapter 63, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1269j-4.1, Vernon's Texas Civil Statutes); amending Article 23.02, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on Finance.

By Senators Schwartz, Longoria, Mauzy, Ogg and Doggett:

**S.B. 650**, A bill to be entitled An Act relating to prevention of discrimination in employment, public accommodations, education, and real property transactions; providing remedies, sanctions, and penalties; and declaring an emergency.

To Committee on Human Resources.

By Senator Moore:

**S.B. 651**, A bill to be entitled An Act amending the Code of Criminal Procedure, 1965, as amended, by adding a new Article 2.121, authorizing the appointment and designation by railroad companies of railroad peace officers; establishing their powers; establishing certain minimum qualifications; requiring the filing of their names with the Department of Public Safety; authorizing the issuance thereby of a certificate of authority as a peace officer subject to action by the Governor and to subsequent revocation; establishing the railroad company's liability for actions within the scope of the peace officer's employment; absolving the state or any political subdivision thereof for any act or failure to act by such peace officer; providing for

severability; and declaring an emergency.

To Committee on State Affairs.

By Senator Mauzy:

**S.B. 652**, A bill to be entitled An Act relating to withdrawing contributions to the optional retirement program at institutions of higher education; amending Chapter 51, Texas Education Code, by adding Section 51.359; and declaring an emergency.

To Committee on Education.

By Senator McKinnon:

**S.B. 653**, A bill to be entitled An Act relating to authorizing commissioners courts of certain counties to purchase necessary equipment to regulate parking, to charge parking fees, and enforce or contract to enforce parking regulations; providing a penalty; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Santiesteban:

**S.B. 654**, A bill to be entitled An Act relating to the compensation of the District Attorney of the 34th Judicial District and the compensation of the assistant district attorneys, investigators, secretaries, and other office personnel; amending Chapter 12, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 3886h, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Santiesteban:

**S.B. 655**, A bill to be entitled An Act relating to the assessment of taxes by certain hospital districts; amending Chapter 266, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4494n, Vernon's Texas Civil Statutes), by adding Section 2c; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Sherman:

**S.J.R. 49**, Proposing a constitutional amendment to increase to \$800 million the amount of Texas Water Development Bonds that may be issued and outstanding by the Texas Water Development Board on approval of a two-thirds vote of each House of the Legislature, consolidating the provisions of Article III, Sections 49-c and 49-d, of the Texas Constitution, and repealing Article III, Section 49-d, of the Texas Constitution.

To Committee on Texas Constitution.

By Senators Mauzy, Harris, Braecklein and Clower:

**S.C.R. 30**, Authorizing Board of Regents of The University of Texas System to acquire by donation and operate, administer and maintain facilities of The Callier Center for Communication Disorders.

To Committee on State Affairs.

By Senators Andujar, Sherman and Farabee:

**S.C.R. 31**, Urging the United States Railway Association to reconsider its decision denying loan funds to support operating and capital needs of Rock Island Railroad.

To Committee on Economic Development.

By Senator Schwartz:

**S.C.R. 32**, Providing for creation of a joint interim committee to study powers, duties and responsibilities of the Parks and Wildlife Commission and the Parks and Wildlife Department.



To Committee on Administration.

### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas  
March 11, 1975

TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the Board of Regents of Stephen F. Austin State University: For a six-year term to expire January 31, 1981: Mr. Homer Lee Bryce of Henderson, Rusk County is being reappointed. Mr. Joe Bob Golde, Jr. of Jasper, Jasper County is being reappointed. Mr. James Irvine Perkins of Rusk, Cherokee County is being reappointed.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, March 11, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 24**, Recognizing the City of Berlin on the 30th anniversary of its struggle for Unity, Freedom and Democracy.

**S.B. 85**, A bill to be entitled An Act amending provisions of Chapter 3, of the Texas Education Code, relating to the Teacher Retirement System; etc., and declaring an emergency. (With amendments)

The House has concurred in Senate amendments to House Bill 509 by vote of 130 ayes, 0 noes, 5 present not voting.

**H.B. 84**, A bill to be entitled An Act providing for a referendum on the issue of daylight saving time; and declaring an emergency.

**H.B. 166**, A bill to be entitled An Act relating to the purchase of school class rings; amending Chapter 21, Texas Education Code, by adding Section 21.914; and declaring an emergency.

**H.B. 526**, A bill to be entitled An Act relating to the power of certain cities to acquire, construct, improve and equip any property for purposes of treating and conveying waste, including, but not by way of limitation: establishing, acquiring, leasing or contracting as lessee or lessor, purchasing, constructing, improving, enlarging, equipping, repairing, operating or maintaining (any or all) waste treatment facilities including plants, disposal fields, lagoons and areas devoted to sanitary land fills for the purposes of treating, neutralizing, stabilizing or disposal of waste, and sewer systems including pipelines, conduits, canals, pumping stations, force mains, and all other constructions, devices and appurtenant appliances used to transport waste (hereinafter the "Project" or "Projects") and to make such Project or Projects available to persons, firms or corporations by leases and other contracts, including installment sale agreements, such leases and contracts to be on such terms as the city deems appropriate; authorizing such cities to enter into operating contracts as to said Projects; and to finance said Projects and improvements through the issuance of revenue bonds, which shall be deemed to be a "Security"; authorizing such cities to pledge to the payment of the operation and maintenance of any Project or Projects a continuing annual ad valorem tax; provided, that such taxes shall be within any Constitutional or charter limit, no part of such money shall ever be used for the payment of the interest on or principal of said revenue bonds; authorizing said cities to fix and collect fees, purchase prices, rentals, rates and charges for such Projects and pledge all or any part of the revenues, income, receipts from such fees, purchase prices, rentals, rates and charges to the payment of such bonds and additionally to secure such bonds by mortgages or deeds of trust on any real property relating to the Project and by chattel mortgages, liens or security interests on any personal property appurtenant to such real property; authorizing the pledge to the payment of such bonds all or any part of any grant, donation, revenues or income received or to be received from the United States government or any other public or private source; authorizing the issuance of refunding bonds; making such revenue bonds legal and authorized investments; containing other provisions relating to the subject; providing that this act is cumulative of existing laws and takes precedence over inconsistent or conflicting laws and over all city charter provisions; providing a severability clause; and declaring an emergency.

**H.B. 169**, A bill to be entitled An Act providing the necessary administrative and legal positions in the attorney general's office under the provisions of Senate Bill 283, Acts of the Sixty-third Legislature, Regular Session, 1973; providing an appropriation for the payment of claims pursuant to Senate Bill 283, Acts of the Sixty-third Legislature; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

#### CO-AUTHOR OF SENATE BILL 3

On motion of Senator Mengden and by unanimous consent, Senator Hance will be shown as Co-author of **S.B. 3**.

#### CO-AUTHOR OF SENATE BILL 266

On motion of Senator Hance and by unanimous consent, Senator Andujar will be shown as Co-author of **S.B. 266**.

**CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 30**

On motion of Senator Mauzy and by unanimous consent, Senators Harris, Braecklein and Clower will be shown as Co-authors of S.C.R. 30.

**RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

**H.C.R. 72**

**H.C.R. 77**

**SENATE BILL 353 ON SECOND READING**

Senator Snelson moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 353** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 353**, A bill to be entitled An Act relating to the powers and duties of county historical commissions and commissioners courts with respect to historical matters; amending Section 1, Chapter 152, Acts of the 58th Legislature, 1963, as amended (Article 6145.1, Vernon's Texas Civil Statutes); repealing Chapter 150, Acts of the 58th Legislature, 1963 (Article 2372r, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Snelson offered the following Committee Amendment to the bill:

Amend Section 1(a) of the quoted material in Section 1 of Senate Bill 353 by striking the period at the end of Section 1(a) following the word "Commission" and adding the phrase "upon thirty days written notice to the Commissioners Court of its intention to do so."

The Committee Amendment was read and was adopted.

On motion of Senator Snelson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**SENATE BILL 353 ON THIRD READING**

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 353** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, March 11, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 9**, A bill to be entitled An Act relating to the arrest and detention of a probationer; probation revocation hearings; amending Subsection (a) of Section 8, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

Respectfully submitted,  
**DOROTHY HALLMAN**  
Chief Clerk, House of Representatives

**SENATE CONCURRENT RESOLUTION 17 ON SECOND READING**

The President laid before the Senate as unfinished business **S.C.R. 17** with a Committee Amendment pending.

Question - Shall the Committee Amendment be adopted?

Question on the adoption of the Committee Amendment, "Yeas" and "Nays" were demanded.

The Committee Amendment was adopted by the following vote: Yeas 21, Nays 9.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Kothmann, Longoria, Mauzy, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Andujar, Harris, Jones, McKinnon, McKnight, Meier, Mengden, Moore and Ogg.

Absent-excused: Lombardino.

The resolution as amended was then adopted.

#### **RECORD OF VOTES**

Senators Meier, McKinnon, McKnight, Moore, Harris and Mengden asked to be recorded as voting "Nay" on the adoption of the resolution.

#### **RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

#### **S.C.R. 28**

#### **COMMITTEE SUBSTITUTE SENATE BILL 3 ON SECOND READING**

Senator Mengden moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that C.S.S.B. 3 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**C.S.S.B. 3**, A bill to be entitled An Act making unlawful the execution of an oil, gas and mineral lease by certain enumerated persons, agencies and entities unless such lease shall include provisions that no gas produced from the mineral estate subject to such lease shall be sold or contracted for sale for ultimate use outside of the State of Texas unless and until the Texas Railroad Commission shall find that neither the lessor, certain health-care facilities, public and private schools, State and other public facilities, food and fiber producers, nor any resident of Texas requires said gas to meet needs for fuel; enumerating the persons, agencies and entities affected; providing that the Land Commissioner shall not receive or file a lease required to be filed by him unless such lease includes specified terms and conditions; providing that any lease executed or received and filed in violation hereof shall be null and void; further

providing for the granting of exceptions to the provisions hereof upon a finding by the Railroad Commission that enforcement of such provisions would cause physical waste or unreasonably deny to the leasee an opportunity economically to produce hydrocarbons from the lands subject to the lease in question; providing for severability; repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### COMMITTEE SUBSTITUTE SENATE BILL 3 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.B. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

#### SENATE BILL 125 ON SECOND READING

Senator Andujar moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 125 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Jones and Moore.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 125**, A bill to be entitled An Act relating to the creation, membership, terms of office, organization, compensation, powers, and duties of the Texas Commission on the Status of Women; providing for appointment of an advisory panel and for cooperation of other state agencies; limiting the life of the commission; and declaring an emergency.

The bill was read second time.

Senator Andujar offered the following Committee Amendment to the bill:

Amend **S.B. 125**, as introduced, by renumbering Section 9 as Section 10, and adding a new Section 9 to read as follows:

"The Commission shall have a life of not more than 10 years."

The Committee Amendment was read and was adopted.

#### **RECORD OF VOTES**

Senators Mauzy and Clower asked to be recorded as voting "Nay" on the adoption of the amendment.

On motion of Senator Andujar and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **SENATE BILL 125 ON THIRD READING**

Senator Andujar moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 125** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Moore.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams

Nays: Jones and Moore.

Absent-excused: Lombardino.

#### SENATE BILL 58 ON SECOND READING

Senator Gammage moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that S.B. 58 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Williams.

Nays: Mengden, Moore and Snelson.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 58**, A bill to be entitled An Act relating to the period of suspension of a driver's license on conviction of certain offenses; relating to automatic suspension of a driver's license, the surrender of licenses on conviction, and the reporting of convictions to the Department of Public Safety; authorizing the court to restrict the operation of a motor vehicle of a person convicted of certain offenses and providing for the issuance of a restricted license in such a case; defining an offense; creating a penalty; amending Subsection (b), Section 24, and Subsection (a), Section 25, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Gammage offered the following Committee Amendment to the bill:

Amend Senate Bill 58 by striking the sentence beginning on page 2, line 12, and substituting the following:

"The order shall be effective for a period to be determined by the judge and may be extended at the discretion of the judge, provided that if the order is granted for longer than a twelve (12) month period, the person convicted must give proof to the Department of Public Safety of a valid policy of automobile liability insurance in accordance with the provisions of the Texas Motor Vehicle Safety Responsibility Act (Article 6701h, Vernon's Texas Civil Statutes). But in no event may the order remain in effect beyond the period for which the convicted person's license has been suspended."

The Committee Amendment was read and was adopted.

On motion of Senator Gammage, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.



The bill as amended was passed to engrossment.

#### SENATE BILL 58 ON THIRD READING

Senator Gammage moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 58** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Williams.

Nays: Mengden, Moore and Snelson.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Williams.

Nays: Mengden, Moore and Snelson.

Absent-excused: Lombardino.

#### SENATE BILL 249 ON SECOND READING

Senator Harris moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 249** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 249**, A bill to be entitled An Act relating to conditions and restrictions placed on certain persons handling funds of certain insurance companies; amending Chapter 21, Insurance Code, as amended, by adding Article 21.39-B; repealing Article

3.14, Insurance Code, as amended; and declaring an emergency.

The bill was read second time.

Senator Harris offered the following Committee Amendment to the bill:

Amend Senate Bill 249 by adding the word "domestic" on Page 2, Line 9 after the word "all".

The Committee Amendment was read and was adopted.

Senator Harris offered the following amendment to the bill:

Amend Section 1 of S.B. 249 by striking paragraph (1) of Section 1 of Article 21.39-B, and substituting in lieu thereof the following:

"Section 1. Any director, member of a committee, or any clerk of a 'domestic' company, who is charged with the duty of handling or investing its funds, shall not:

"(1) deposit or invest such funds, except in the corporate name of such company, provided, however, that securities kept under a custodial agreement or trust agreement with a bank or trust company may be issued in the name of a nominee of such bank or trust company if such bank or trust company has corporate trust powers and is duly authorized to act as a custodian or trustee and is organized under the laws of the United States of America or any state thereof and either is a member of the Federal Reserve System or is a member of the Federal Deposit Insurance Corporation.

The amendment was read and was adopted.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### SENATE BILL 249 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria,

Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

#### SENATE BILL 439 ON SECOND READING

Senator Moore moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 439** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 439**, A bill to be entitled An Act making a supplemental appropriation to the Texas Department of Corrections; and declaring an emergency.

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend Senate Bill 439 by striking Section 1 and placing in lieu thereof the following:

Section 1. In addition to its current appropriation, there is hereby appropriated from the General Revenue Fund to the Texas Department of Corrections for the fiscal year ending August 31, 1975, the sum of \$1 million for the purpose of paying for the additional cost of purchased utilities and \$1 million for the purpose of paying for the additional cost of food for the persons committed to the custody of the department.

The amendment was read and was adopted.

On motion of Senator Moore and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### SENATE BILL 439 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 439** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria,

Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Lombardino.

#### COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 34 ON SECOND READING

Senator Patman moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that C.S.S.J.R. 34 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Mauzy.

Absent-excused: Lombardino.

The President laid before the Senate on its second reading and passage to engrossment:

**C.S.S.J.R. 34**, Proposing a constitutional amendment relating to formation of associations by producers of agricultural products.

The resolution was read second time and was passed to engrossment.

#### RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 34 ON THIRD READING

Senator Patman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.J.R. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Mauzy.

Absent-excused: Lombardino.

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Mauzy.

Absent-excused: Lombardino.

#### HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committees indicated:

H.B. 9, To Committee on Jurisprudence.  
H.B. 84, To Committee on State Affairs.  
H.B. 166, To Committee on Education.  
H.B. 169, To Committee on Finance.

#### NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Wednesday, March 12, 1975

H.B. 351 - Senator Meier  
H.B. 367 - Senator Snelson  
H.B. 388 - Senator Mauzy  
H.B. 471 - Senator Farabee  
S.B. 85 - Senator Aikin (motion to concur in House amendments)  
S.B. 228 - Senator Moore  
S.B. 229 - Senator Adams  
S.B. 230 - Senator Adams  
S.B. 231 - Senator Adams  
S.B. 312 - Senator Gammage  
S.B. 344 - Senator Williams  
S.B. 366 - Senator Mauzy